

207187US2



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3-6-03

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : :

SAKAE ISHIKAWA ET AL. : GROUP ART UNIT: 3653

SERIAL NO: 09/848,764 : :

FILED: MAY 4, 2001 : EXAMINER: BUTLER, M.

FOR: METHOD OF AND SYSTEM FOR MANAGING RACK OPERATION, METHOD
OF AND SYSTEM FOR MANAGING MULTISTAGE RACK, . . .

PROVISIONAL ELECTION OF SPECIES

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

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GROUP 3600

In response to the Restriction requirement dated December 31, 2002, Applicants elect with traverse Invention I, Claims 1-38 and provisionally elect species I for examination on the merits, and identify Claims 1-11 as reading on the elected species. Applicants first note that Figures 1-5 are believed to correspond to Species I and Claims 1-11, rather than Figures 1-3 as stated in the December 31st Restriction requirement. Moreover, Applicants respectfully maintain their traversal of the election of species requirement for the reasons stated in the Provisional Election filed October 30, 2002. Moreover, as stated in the October 30, 2002, Provisional Election, Claim 1 is believed to be generic.

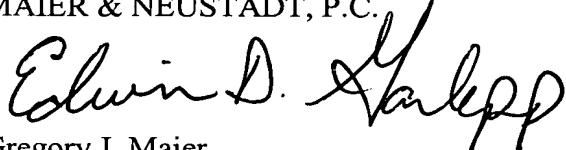
Therefore, it is respectfully requested that the requirement to elect a single species be withdrawn, and that a full examination on the merits of Claims 1-38 be conducted.

Attention should be drawn to Applicant's representatives' change of address, effectively January 6, 2003:

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Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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COMMISSIONER FOR PATENTS
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GROUP 3600

RE: U.S. Application
Serial No: 09/848,764
Filed: May 4, 2001
Inventor: Sakae Ishikawa et al.
For: Method of and System for Managing Rack . . .

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION OF SPECIES

Our check in the amount of \$--0-- is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is attached.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

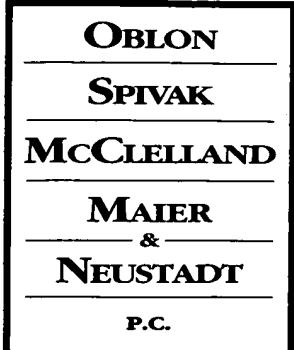
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